

**EXHIBIT 1**

**SINCLAIR DECL.**

**EVANS, et al. v. ARIZONA CARDINALS**  
**3:16-cv0-01030-WHA (N.D. Cal.)**

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN FRANCISCO DIVISION  
4 CASE NO.: 3:16-CV-01030-WHA

5 ETOPIA EVANS, et al,

6 Plaintiffs,

7 vs.

8 ARIZONA CARDINALS FOOTBALL CLUB,  
9 LLC, et al,

10 Defendants.

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11 VIDEOTAPED DEPOSITION OF

12 DARRYL ASHMORE

13 Tuesday, February 7, 2017

14 10:02 a.m. - 2:59 p.m.

15 120 East Palmetto Park Road  
16 Boca Raton, Florida

17 Stenographically Reported By:  
18 Kimberly Fontalvo, RPR, CLR  
19 Realtime Systems Administrator  
20  
21  
22  
23  
24  
25

<p style="text-align: right;">Page 42</p> <p>1 A. Yes.</p> <p>2 Q. All right. Did -- was there any writing</p> <p>3 on the blister pack?</p> <p>4 A. I don't recall that right now.</p> <p>5 Q. Okay. When you got the</p> <p>6 anti-inflammatories from Mr. Anderson, did you know</p> <p>7 what kind of anti-inflammatories they were?</p> <p>8 A. No. Just trusted him because he was the</p> <p>9 trainer.</p> <p>10 Q. Did you -- did he ever tell you what he</p> <p>11 was giving you with the anti-inflammatories?</p> <p>12 A. No. We deemed -- after I drained my knee,</p> <p>13 had it drained by the doctor, you need these</p> <p>14 anti-inflammatories, you know. You just kind of</p> <p>15 know.</p> <p>16 Q. Who was the team doctor at the Rams?</p> <p>17 A. There were a few of them.</p> <p>18 Q. When you first got there, do you remember</p> <p>19 who it was?</p> <p>20 A. I think the doctors were Jobe-Kerlan --</p> <p>21 that was the practice -- but there were -- Clarence</p> <p>22 Shields was the doctor that represented them at our</p> <p>23 place.</p> <p>24 Q. And was Dr. Shields an orthopedic surgeon;</p> <p>25 do you know?</p>	<p style="text-align: right;">Page 44</p> <p>1 Q. How often would -- your first year at the</p> <p>2 Rams, how often would a doctor be on site?</p> <p>3 A. I don't know the -- the -- how many times</p> <p>4 the doctor -- I don't know. Probably -- could be</p> <p>5 there two times a week, possibly, during the year.</p> <p>6 Q. And I think you testified when the doctor</p> <p>7 drained your knee, he said you needed an</p> <p>8 anti-inflammatory?</p> <p>9 A. I think Jim gave it to me. He just</p> <p>10 drained my knee and said my knee is not doing very</p> <p>11 well.</p> <p>12 Q. Okay. But do you remember having any</p> <p>13 conversation with a doctor about taking any sort of</p> <p>14 medication to help with the knee?</p> <p>15 A. I can't remember that.</p> <p>16 Q. Okay. You also said you took painkillers</p> <p>17 your first year with the Rams?</p> <p>18 A. Yes.</p> <p>19 Q. Do you remember when you started taking</p> <p>20 painkillers?</p> <p>21 A. Probably in training camp.</p> <p>22 Q. And that was because of the pain from the</p> <p>23 knee?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. Do you know what painkillers you</p>
<p style="text-align: right;">Page 43</p> <p>1 A. I think he is, yes.</p> <p>2 Q. Okay.</p> <p>3 A. Did one of the surgeries.</p> <p>4 Can I get up?</p> <p>5 Q. Sure.</p> <p>6 A. I can talk.</p> <p>7 Q. Okay. So you mentioned that one of the</p> <p>8 doctors -- was it Mr. Shields who drained your knee?</p> <p>9 A. I'm not sure. But he did my surgery.</p> <p>10 There were a few doctors.</p> <p>11 Q. Okay. The -- when the knee started</p> <p>12 swelling -- and it started swelling in training</p> <p>13 camp?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And did you approach somebody and</p> <p>16 tell them that you had a problem with the knee?</p> <p>17 A. Yes.</p> <p>18 Q. Who did you talk to?</p> <p>19 A. Probably Jim Anderson.</p> <p>20 Q. Do you remember what he said to you?</p> <p>21 A. I'm not going to remember conversations.</p> <p>22 Q. Okay. Did he direct you to the doctor?</p> <p>23 A. Yeah. We always see the doctor after</p> <p>24 practice if we need to, you know, if he's there on a</p> <p>25 certain day.</p>	<p style="text-align: right;">Page 45</p> <p>1 took that first year with the Rams?</p> <p>2 A. No.</p> <p>3 Q. Who did you get the painkillers from?</p> <p>4 A. Jim Anderson.</p> <p>5 Q. And did he tell you what painkillers he</p> <p>6 was giving you?</p> <p>7 A. First year, I don't remember. The prior</p> <p>8 [sic] years when I played, I remember. I don't</p> <p>9 remember the first year what they were called.</p> <p>10 Q. Okay. What -- you said the prior years or</p> <p>11 the later years?</p> <p>12 A. The -- the -- I'm sorry, the later years.</p> <p>13 I misspoke.</p> <p>14 Q. Okay. Do you know how many painkillers</p> <p>15 you took that first year with the Rams?</p> <p>16 A. I can't recall the amount, no. I mean, we</p> <p>17 played 16 weeks, so we practiced -- I imagine it was</p> <p>18 a lot.</p> <p>19 Q. Did you take a painkiller every week when</p> <p>20 you were that first year with the Rams?</p> <p>21 A. Probably took painkillers every day.</p> <p>22 Q. Do you remember how many painkillers you</p> <p>23 would take when you would take them each day, in</p> <p>24 terms of dosage?</p> <p>25 A. I don't recall dosage, no.</p>

12 (Pages 42 - 45)

<p style="text-align: right;">Page 74</p> <p>1 you were getting some prescription 2 anti-inflammatories, correct? 3 A. Yes. 4 Q. Okay. And at the time, did you understand 5 that usually a prescription medication would come 6 with some packaging on it that would give some 7 information about the medication? 8 A. That's usually with your physicians, your 9 personal physicians, but NFL didn't have that 10 policy, it seems. They handed the pills out. 11 Q. Did you ever ask the trainer or the 12 doctors at the Rams about, "Why am I not getting 13 that information?" 14 A. No, I did not, because I trusted them to 15 do what's best for me. 16 Q. And, again, did you -- would you have felt 17 comfortable asking that question if you had -- about 18 the medications -- if you had a question about the 19 medications you were getting at the time with the 20 Rams, would you have felt comfortable asking by the 21 time you were, say, a third-year player? 22 A. Could you rephrase that, what you mean by 23 that? 24 Q. Sure. 25 I think you testified earlier that when</p>	<p style="text-align: right;">Page 76</p> <p>1 BY MR. OLESON: 2 Q. Sure. 3 While you were with the Rams, did the 4 training -- anybody on the training staff ever -- 5 ever refuse to answer a question you had of them 6 about medications, treatment, anything? 7 A. I don't recall. 8 Q. How about the doctors? Was there ever a 9 time at the Rams where you had a question for the 10 doctor that they refused to answer? 11 A. I don't recall. 12 Q. Besides that second MCL injury your third 13 year, do you recall any other injuries? 14 A. I'm sure I had some hurts and some pains, 15 but I just don't remember any other injuries besides 16 that. 17 Q. The MCL, do you remember who took your 18 place after that injury while you were out? 19 A. No, I can't remember. Had so many 20 different people on the roster at different times. 21 Q. When you came back from that MCL injury 22 that third year, did you get your position back? 23 A. That -- that year, I don't remember 24 exactly how many games I played and started unless 25 you showed me.</p>
<p style="text-align: right;">Page 75</p> <p>1 you were a rookie, that you didn't feel comfortable 2 asking questions about the medications because you 3 basically said you would do what you were told -- 4 A. Uh-huh. 5 Q. -- and you were trying to make the team. 6 By the time you were a third-year player, 7 you had been with the team a couple years, would you 8 have felt comfortable asking questions about 9 medications if you had any questions? 10 A. No. 11 MR. DEARMAN: Form. 12 THE WITNESS: Excuse me. 13 MR. DEARMAN: That's okay. Go ahead. 14 A. No, not at that time, because I was still 15 a fringe player. I didn't feel comfortable. I 16 think I had just possibly held out that year in 17 training camp and I wasn't on the best terms with 18 the team, so the answer would be no. 19 BY MR. OLESON: 20 Q. Did anybody on the training staff ever 21 tell you, you know -- or ever refuse to answer a 22 question that you had about anything? 23 MR. DEARMAN: Objection to the form of the 24 question. 25 A. Could you rephrase that?</p>	<p style="text-align: right;">Page 77</p> <p>1 Q. The third year, was that the last year 2 that you played in L.A.? 3 A. That was the last year that I played in 4 L.A., yes. 5 Q. So the next year, which would have been 6 the '95 season -- 7 A. '95 season. 8 Q. -- they moved to St. Louis? 9 A. Yes, they did, yeah. 10 Q. When you moved to St. Louis, that's when 11 you became a starter? 12 A. Yes. 13 Q. All right. And when you moved to 14 St. Louis, did you know going into camp that year 15 that you were going to be the starter? 16 A. No. It was a series of winning the 17 position again. 18 May I stand up? 19 Q. Sure. Ready? 20 A. Yes. 21 Q. Was -- you said Coach Knox was no longer 22 the coach once you got to St. Louis? 23 A. No, he wasn't. I can't remember the name. 24 Brooks, Coach Brooks. 25 Q. Rich -- Rick -- Rich Brooks?</p>

20 (Pages 74 - 77)

<p style="text-align: right;">Page 158</p> <p>1 You understand that you're under oath as you were 2 before? 3 A. Yes, I do. 4 Q. Before the break, we were discussing your 5 torn quad tendon. 6 A. Yes. 7 Q. You had surgery on the torn quad tendon, 8 correct? 9 A. Yes, I did. 10 Q. Do you remember how quickly after the 11 injury you had the surgery? 12 A. I'm not sure exactly, but probably two to 13 three days afterwards. 14 Q. And a torn quad tendon is not really one 15 where there's a choice of surgery or no surgery; you 16 pretty much have to have surgery? 17 A. Yes, you have to have it, yes. 18 Q. And you had it with Dr. King? 19 A. Yes, I did; Warren King. 20 Q. Did you consider asking for a different 21 doctor to do the surgery at all? 22 A. Never crossed my mind, no. That was their 23 surgeon and that's who we scheduled everything 24 through. 25 Q. Do you know whether you had a right under</p>	<p style="text-align: right;">Page 160</p> <p>1 have been corrected or is it -- 2 A. I'm not a surgeon, so I don't know. I'm 3 not a doctor, so I don't know. I assume it should 4 have been attached totally, but come to find out 5 from doctors I've taken tests with, it's not 6 attached totally. 7 Q. When did you first find out that it wasn't 8 attached totally? 9 A. Read on the MRI during my workman's comp 10 thing, situation. 11 Q. The recovery time when you came out of 12 surgery, what were you told how long recovery would 13 be? 14 A. Six to nine months, I'm thinking. 15 Q. So at that point, you knew you wouldn't 16 play again that 2002 season? 17 A. Yes. 18 Q. Okay. Did you stay with the team through 19 the full 2002 season? 20 A. Yes. I was there rehabbing in -- in the 21 locker room. Yes, I was there. 22 Q. All right. Did you take any medications 23 that 2002 season? 24 A. Vioxx. Yeah, I took Vioxx. 25 Q. Do you know how much of that you took?</p>
<p style="text-align: right;">Page 159</p> <p>1 the collective bargaining agreement to have a 2 different surgeon do the surgery? 3 A. At that time, I didn't consider it at all. 4 Didn't -- didn't think about that. 5 Q. You trusted Dr. King? 6 A. Yes. Because I was assigned to the 7 Raiders and that's who I was under contract with, 8 and I trusted my doctors and -- and staff to make 9 that assessment. 10 Q. But at that -- at that point, you had -- 11 nothing had happened to you that caused you to doubt 12 Dr. King's competency or anything like that? 13 A. Nothing I knew of, no. 14 Q. All right. And was the surgery 15 successful? 16 A. No. 17 Q. And why not? 18 A. Because I never returned back to the NFL 19 in full playing condition. 20 Q. Okay. Let me break it down a little bit. 21 The surgery actually was successful in 22 attaching your tendon back to your quad? 23 A. Technically, no. From what I heard from 24 doctors later on, it wasn't attached totally. 25 Q. Okay. And is that something that could</p>	<p style="text-align: right;">Page 161</p> <p>1 A. Quantity, no. Probably as needed. 2 Q. And did it come in that same blister pack? 3 A. Yes, it did. 4 Q. And who did you get that from? Was it 5 from the doctor or the trainer? 6 A. Trainer. 7 Q. The -- any other medications you took that 8 2002 season? 9 A. No, I can't remember, no. 10 Q. Were you under contract beyond the 2002 11 season? 12 A. No, I was not. 13 Q. And so when your contract expired, were 14 you able to play at that point? 15 A. No. I was not full rehab. 16 Q. And at that point, did you try to catch on 17 with another club or re-sign with the Raiders? 18 A. I was a free agent, but I never regained 19 hundred percent ability to -- to play. 20 Q. Because of the quad tendon? 21 A. Yes. 22 Q. At any point, did the quad tendon become 23 good enough that you thought you could have played? 24 A. No. I never regained proper strength. 25 You know, the quad -- quad muscle is where it all</p>

41 (Pages 158 - 161)

<p style="text-align: right;">Page 182</p> <p>1 Q. And did you discuss the creatinine and 2 protein level issue with her? 3 A. Yes. And I had an ultrasound done and -- 4 I had an ultrasound done also, scan. 5 Q. And this -- was this all in 2010? 6 A. Somewhere around there, 2009, 2010, yes. 7 Q. All right. And what was the outcome of 8 her examination? Did she determine you had any 9 condition or problem? 10 A. Yes. She wanted me to see her on a 11 regular schedule. 12 Q. Did she give you any specific diagnosis? 13 A. No. I -- I just -- I didn't go back. 14 Q. At the time you met with her, did you 15 discuss at all whether the medications you took 16 while you were in the NFL had any connection with 17 the elevated creatinine or protein levels? 18 A. No. She was there just to treat what she 19 saw. She didn't discuss that. 20 Q. Okay. And you said you didn't go back to 21 her after that? 22 A. No. 23 Q. Have you seen any other doctors since then 24 for the elevated creatinine or protein levels? 25 A. I see a hematologist.</p>	<p style="text-align: right;">Page 184</p> <p>1 solving the condition. We don't discuss causes and 2 effects -- he doesn't, no. 3 Q. Okay. 4 A. Doesn't care about that. 5 Q. Back to the bullets on page 4, the 6 injuries that we just went through: Do you believe 7 all of the bulleted injuries on page 4 are connected 8 to your -- or caused by your use of medications 9 while in the NFL? 10 A. I don't know. That's to be determined by 11 doctors and my counsel. That's what the cause may 12 be. 13 Q. And I understand you're not a doctor or a 14 lawyer, but do you believe that any of these 15 injuries were caused by medications at all? 16 A. It's always a possibility, yes. 17 Q. Okay. The injuries that are listed here 18 on page 4, other than the kidney problems, are all 19 the other injuries related to the injuries you 20 suffered while you played in the NFL? 21 MR. DEARMAN: Objection to the form of the 22 question. 23 A. Could you rephrase? 24 BY MR. OLESON: 25 Q. Sure.</p>
<p style="text-align: right;">Page 183</p> <p>1 Q. Who is the hematologist? 2 A. Dr. Lin, Dr. Paul Lin. 3 Q. And has he diagnosed you with anything 4 related to your creatinine or protein levels or 5 kidneys? 6 A. I don't know about that, but he watches my 7 white and red blood cell counts, and I have a 8 condition called leuke- -- leuko- -- leukopenia. 9 Q. What kind of condition is that? 10 A. Very low white blood cell count. 11 Q. When did you see -- start seeing Dr. Lin 12 about this? 13 A. Probably a year and a half ago. 14 And I have mitosis [sic], too, possibly. 15 Q. Mitosis? 16 A. Yes. You can describe it as possibly some 17 small -- smaller blood cells, red blood cells. 18 Q. And when did he first diagnose you with 19 mitosis? 20 A. A couple weeks ago. 21 Q. Has Dr. Lin told you that any of the 22 either mitosis or the other condition are related in 23 any way to your -- the medications you took while 24 you were in the NFL? 25 A. We just discussed us solving the problem,</p>	<p style="text-align: right;">Page 185</p> <p>1 I'm taking out this last one about the 2 kidney problems, but -- 3 A. Uh-huh. 4 Q. -- other than that one, these other 5 injuries -- this difficulty sleeping, the pain in 6 the hands and the wrists and the knees, the 7 shoulders, and the neck and back pain -- do you 8 believe that those injuries are connected to the 9 injuries you suffered while playing in the NFL? 10 MR. DEARMAN: Objection to the form, to 11 the extent you're excluding a subsection. 12 Go ahead. 13 A. Yes. Definitely, yes. 14 BY MR. OLESON: 15 Q. And maybe this will address your counsel's 16 objections. 17 In terms of the relatedness from the 18 playing time and the injuries that are here on 19 page 4, it could come either from the major injuries 20 that you suffered or the -- as you call them -- the 21 hurts, the lesser injuries that aren't listed on the 22 earlier part of the interrogatory? 23 MR. DEARMAN: Objection to the form of the 24 question. 25 A. Could you rephrase?</p>

47 (Pages 182 - 185)



<p style="text-align: right;">Page 186</p> <p>1 BY MR. OLESON:  2 Q. Sure.  3 In terms of the -- the injuries on  4 page 4 --  5 A. Uh-huh.  6 Q. -- other than the kidney --  7 A. Uh-huh.  8 Q. -- they could be connected to your NFL  9 career, either because of a severe injury you  10 suffered, like the knee injury, MCL sprains, or  11 perhaps from some of the lesser injuries that you  12 had while you were in the NFL?  13 A. I -- I connect the kidney thing to  14 everything else, so I'm going to disagree with you  15 there.  16 Q. Okay.  17 A. So I'm including in on all this because of  18 the drugs I've taken.  19 Q. Okay. But -- and I understand that --  20 A. Uh-huh.  21 Q. -- but I'm just saying, putting aside the  22 kidney thing for a second, of the other bullets here  23 on page 4 --  24 A. Uh-huh.  25 Q. "Yes"?</p>	<p style="text-align: right;">Page 188</p> <p>1 know him specifically.  2 Q. Okay. But at the time you learned about  3 the -- the kidney issue in 2010, you had heard of  4 other people having kidney problems in the NFL?  5 A. I've heard stories, yes, I have.  6 Q. If I could ask you to turn to page 7 of  7 the interrogatories, Exhibit 2. There's a  8 supplemental answer there with more bullets.  9 Do you see that?  10 A. Uh-huh.  11 Q. And it's in response to an interrogatory  12 on page 6 that asks you to identify each medication  13 you took, "... after ceasing to play football for  14 any NFL member club, related to any injury, medical  15 condition, damage, harm, or loss allegedly caused,  16 in whole or in part, by your playing football for  17 any NFL member club or allegedly occurring during  18 the periods in which you played football for any NFL  19 member club."  20 Do you see that?  21 A. Yes.  22 Q. Okay. The first medication identified  23 there is: "Advil over the counter as needed since  24 retirement."  25 Do you see that?</p>
<p style="text-align: right;">Page 187</p> <p>1 A. Yes.  2 Q. -- you believe -- you believe that they're  3 connected to your NFL playing career, either from  4 these major injuries that you suffered or maybe a  5 lesser injury or hurt or something like that?  6 A. What's the question?  7 Q. Let me ask it this way: On page 4, on  8 these bullets, taking aside the kidney problem, do  9 you believe all of the bullets are related to your  10 playing in the NFL, all these injuries?  11 A. I believe all of them, including the  12 kidney problem, are related to it.  13 Q. Did you believe your kidney problem, once  14 you learned about it, was related to the time  15 playing in the NFL?  16 A. Yes. I've seen my teammates die over  17 kidney failure and renal failure.  18 Q. Do you remember any specific teammates  19 that have died from kidney or renal failure?  20 A. Yes. A teammate from the Raiders, Mo  21 Collins.  22 Q. When did he pass away?  23 A. Passed -- passed away a couple years ago.  24 Q. Anybody else that you remember?  25 A. Not -- not one of my teammates. I just</p>	<p style="text-align: right;">Page 189</p> <p>1 A. Yes.  2 Q. Have you been taking Advil continuously  3 since you retired from the NFL?  4 A. Not at all.  5 Q. Okay. How often do you take Advil?  6 A. Once every two years, maybe.  7 Q. And that's been the case since you  8 retired?  9 A. Yes. And that's only taken if I have  10 maybe the flu.  11 Q. Okay. You've never taken Advil to manage  12 pain since you retired?  13 A. No. I figure I've taken enough  14 prescription narcotics that took a toll on my body,  15 so I -- I choose not to take too much at all.  16 Q. The next bullet says: "Aleve over the  17 counter as needed since retirement."  18 Do you see that?  19 A. Yes.  20 Q. And how long have you been taking Aleve?  21 A. Not very often.  22 Q. Have you been taking it since retirement?  23 A. I take it when I need to go on an airplane  24 ride or anything that I have to deal with pain and  25 discomfort, and just to temporarily mask the -- the</p>

48 (Pages 186 - 189)

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN FRANCISCO DIVISION  
4 CASE NO.: 3:16-CV-01030-WHA

5 ETOPIA EVANS, et al,

6 Plaintiffs,

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8 ARIZONA CARDINALS FOOTBALL CLUB,  
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11  
12

13 CONTINUED VIDEOTAPED DEPOSITION OF

14 DARRYL ASHMORE

15  
16 Wednesday, February 8, 2017

17 9:41 a.m. - 12:44 p.m.  
18

19  
20 120 East Palmetto Park Road  
21 Boca Raton, Florida

22  
23 Stenographically Reported By:  
24 Kimberly Fontalvo, RPR, CLR  
25 Realtime Systems Administrator



<p style="text-align: right;">Page 229</p> <p>1 A. Just going to stick to my answer with 2 that. 3 BY MR. OLESON: 4 Q. Okay. But I'm asking: Is there anything 5 specific that you can tell me now that you were 6 seeking recovery for in this lawsuit? 7 A. Yes. I have a lot of unknown things that 8 are going on with me, so if you want to get into 9 that. I don't have all the workups from the doctors 10 and some of the medical things I'm going through, 11 issues internally, so it's still unknown. 12 Q. Okay. But is there anything specific that 13 you can tell me? 14 A. Some kidney-related problems, heart 15 issues, things sort of in that nature. And we're 16 still getting some -- seeing some medical 17 examinations and come conclusive responses from 18 doctors. 19 Q. And the kidney and heart issues, are those 20 the ones that we discussed during yesterday's 21 testimony? 22 A. Yes. 23 Q. Okay. I'm going to introduce what will be 24 Exhibit 5 to your deposition and ask you to review 25 this and let me know when you've had a chance to do</p>	<p style="text-align: right;">Page 231</p> <p>1 in that case? 2 A. I recall, yes, getting deposed, yes. 3 Q. Okay. Did you testify truthfully there in 4 your deposition? 5 A. Yes, I did. 6 Q. All right. I'm going to introduce what 7 will be Exhibit 6 to your deposition, ask that you 8 review this and let me know when you've had a chance 9 to do so. 10 (Thereupon, marked as Plaintiff 11 Exhibit 6.) 12 A. I've read it. 13 BY MR. OLESON: 14 Q. Okay. Do you recognize Exhibit 6? 15 A. Parts of it. 16 Q. Okay. Exhibit 6 is an order approving a 17 compromise and release in your workers' compensation 18 case? 19 A. Yes, I understand that, yes. 20 Q. Do you recall settling your California 21 workers' compensation claim? 22 A. Yes, I do. 23 Q. Do you remember how much the settlement 24 was for? 25 A. Approximately, but not exactly, no.</p>
<p style="text-align: right;">Page 230</p> <p>1 so. 2 (Thereupon, marked as Plaintiff 3 Exhibit 5.) 4 A. I'm going to get up here. 5 BY MR. OLESON: 6 Q. Sure. 7 (Discussion off the record.) 8 MR. DEARMAN: You want him to read the 9 entire transcript? 10 MR. OLESON: No. I'm going to ask him 11 some questions about it. 12 MR. DEARMAN: You can wait until he asks 13 you questions. 14 BY MR. OLESON: 15 Q. Do you recognize Exhibit 5? 16 A. No, I don't. But I recognize what it's 17 about. 18 Q. Okay. Exhibit 5 is a transcript of your 19 testimony in your workers' compensation case in 20 California. 21 A. I understand that, yes. 22 Q. Okay. And you gave the deposition on or 23 about August 26, 2005? 24 A. On or about, yes. 25 Q. Okay. And do you recall giving testimony</p>	<p style="text-align: right;">Page 232</p> <p>1 Q. And what was the approximate amount? 2 A. I just know I received 125,000 after it 3 was all over. I don't know what other fees were 4 involved with the lawyer. 5 Q. Okay. And if you turn to the second page 6 of Exhibit 6 -- actually, the third page of 7 Exhibit 6, at the top of the page there's a section 8 for the applicant's attorney or authorized 9 representative. 10 Do you see that? 11 A. Yes. 12 Q. And the law firm or attorney that's noted 13 there is Patrick Namanny. 14 Do you see that? 15 A. Yes, sir. 16 Q. Did you change attorneys from Mr. Walsh to 17 Mr. Namanny at some point in that workers' 18 compensation case? 19 A. Yes. Yes, I did. 20 Q. Okay. So it wasn't like they were in the 21 same firm; it was a different firm? 22 A. Exactly. You're right. 23 Q. Do you remember why you changed attorneys? 24 MR. DEARMAN: I'm going to instruct you -- 25 you can answer "yes" or "no" whether you</p>

5 (Pages 229 - 232)

<p style="text-align: right;">Page 305</p> <p>1 incarcerated for drug dealing, you know, so -- you</p> <p>2 know, you meet a lot of different people from walks</p> <p>3 of life -- different walks of life in your lifetime,</p> <p>4 and you kind of learn about different things here</p> <p>5 and there. It's just overall knowledge of, you</p> <p>6 know, living life, and you learn things.</p> <p>7 Q. Any of the people you know that are</p> <p>8 incarcerated, were they ever incarcerated for drug</p> <p>9 trafficking?</p> <p>10 A. Not too sure.</p> <p>11 VIDEOGRAPHER: Ten minutes left on this</p> <p>12 disk.</p> <p>13 BY MR. OLESON:</p> <p>14 Q. Or any drug-related crimes?</p> <p>15 A. I know of people. I don't know people</p> <p>16 personally, no.</p> <p>17 Q. The people that you know that have been</p> <p>18 incarcerated for drug-related crimes, when were they</p> <p>19 incarcerated?</p> <p>20 A. I'm not sure. I'm just -- I'm -- you're</p> <p>21 talking over my 47 years of living, so it's kind of,</p> <p>22 you know, a vast period of time.</p> <p>23 Q. Okay. Now, you testified that you believe</p> <p>24 you can't prescribe a medicine in another state</p> <p>25 unless you have a dual license, multiple licenses.</p>	<p style="text-align: right;">Page 307</p> <p>1 dispense that medication at the time they gave it to</p> <p>2 you, would you have still taken the medication?</p> <p>3 MR. DEARMAN: Objection to the form of the</p> <p>4 question. Improper, incomplete hypothetical.</p> <p>5 To the extent you can answer it, go ahead.</p> <p>6 A. No, I don't -- I don't understand the</p> <p>7 question.</p> <p>8 BY MR. OLESON:</p> <p>9 Q. Okay. Do you know if anybody that</p> <p>10 dispensed your medication while you were in the NFL</p> <p>11 was not permitted by law to do so?</p> <p>12 A. No, I do not.</p> <p>13 Q. If you learned that somebody who gave you</p> <p>14 medication wasn't authorized by law to do so, would</p> <p>15 you have taken the medication?</p> <p>16 MR. DEARMAN: Objection to the form.</p> <p>17 What -- objection to the form of the question.</p> <p>18 A. I -- I just -- I don't know. I don't know</p> <p>19 the answer to that question. I don't know.</p> <p>20 BY MR. OLESON:</p> <p>21 Q. Okay. You also brought up the impact of</p> <p>22 the medications on your quality of life.</p> <p>23 How have the medications you take in the</p> <p>24 NFL impacted your quality of life?</p> <p>25 MR. DEARMAN: Objection to the form of the</p>
<p style="text-align: right;">Page 306</p> <p>1 Do you know whether any of your team</p> <p>2 doctors had those dual licenses or multiple</p> <p>3 licenses?</p> <p>4 MR. DEARMAN: Once again, if this is</p> <p>5 something you learned speaking with your</p> <p>6 counsel before we filed the complaint or since</p> <p>7 we filed the complaint, I'm instructing you not</p> <p>8 to provide that information.</p> <p>9 So if it's something you independently</p> <p>10 know, that's fine; if you learned it from</p> <p>11 counsel, then it's --</p> <p>12 A. No --</p> <p>13 MR. DEARMAN: -- not fine.</p> <p>14 A. -- I was just generally speaking of my</p> <p>15 knowledge, my limited knowledge, of -- of licenses.</p> <p>16 BY MR. OLESON:</p> <p>17 Q. If you had known that one of the</p> <p>18 doctors -- strike that.</p> <p>19 If you had known that anybody in the NFL</p> <p>20 that had given you a medication wasn't authorized to</p> <p>21 do so, would you have still taken the medication?</p> <p>22 A. Would you rephrase that, please?</p> <p>23 Q. Sure.</p> <p>24 If you had known that anybody who had</p> <p>25 given you medication in the NFL wasn't authorized to</p>	<p style="text-align: right;">Page 308</p> <p>1 question.</p> <p>2 A. Well, right now, from those time periods</p> <p>3 of early on in football, my body is deteriorating</p> <p>4 faster than I thought it would, you know, with the</p> <p>5 blood pressure, with some of the circumstances with</p> <p>6 the bladder issues and the blood in the urine and</p> <p>7 the kidney function and the heart issues, the</p> <p>8 palpitations, things like that. I didn't expect it</p> <p>9 at this point.</p> <p>10 Really, you know, with the physical</p> <p>11 issues, you know, you think you're going to overcome</p> <p>12 some things and you think that's not going to be</p> <p>13 you, you know, walking around with a cane and a</p> <p>14 walker eventually; but, you know, you see some of</p> <p>15 the older players doing that.</p> <p>16 And right now, it's -- over the last five</p> <p>17 years or six, seven years, it's gotten even worse</p> <p>18 and, you know, you think you're a man -- man</p> <p>19 mountain and it won't happen to you, and it's</p> <p>20 happening to me and it's very, very disconcerting.</p> <p>21 BY MR. OLESON:</p> <p>22 Q. When it started happening to you, did you</p> <p>23 believe that it was connected to the use of the</p> <p>24 medications?</p> <p>25 A. I believe it's a cumulative effect of</p>

24 (Pages 305 - 308)

<p style="text-align: right;">Page 309</p> <p>1 medications and life in the NFL, the job, what the  2 job -- the job description entails and what we went  3 through.  4 Q. You mentioned seeing former players with  5 canes or walkers.  6 A. Uh-huh.  7 Q. Was that something you saw while you were  8 in the NFL?  9 A. Shortly after I got out and, yes, during  10 the NFL, yes, I saw players come through who were  11 former players.  12 Q. Do you remember any particular players  13 that had a cane or walker?  14 A. Yes.  15 Q. Which ones?  16 A. We had a 75th reunion with the Rams.  17 All the old Rams came back, and guys I was familiar  18 with -- Rosey Grier, who I watched on TV -- we had  19 it at L.A. Coliseum -- Rosey Grier walked with a  20 cane. Saw Merlin Olsen. He was so weak and  21 decrepit that he was leaning against the wall the  22 whole time we were at this function, this happy hour  23 function. And Deacon Jones looked like he was a  24 skeleton, looked like hell warmed over.  25 And just those three guys were, you</p>	<p style="text-align: right;">Page 311</p> <p>1 he was always -- he recognized me as just some guy  2 who played football, just speaking.  3 Q. Did you ever talk with any other players  4 about, you know, what life in the NFL -- after the  5 NFL was like?  6 A. Not that I can remember, no.  7 MR. OLESON: Okay. Let's go ahead and  8 take a break -- or change the tape.  9 VIDEOGRAPHER: Time is 12:06 p.m. We are  10 going off the record for media change.  11 (Recess was held from 12:06 p.m. until 12:11 p.m.)  12 VIDEOGRAPHER: This is Media Number 2 in  13 the deposition of Darryl Ashmore. Time is  14 12:11 p.m. We are on the record.  15 BY MR. OLESON:  16 Q. Mr. Ashmore, we're back on the record.  17 You understand that you're under oath as you were  18 before?  19 A. Yes, I do.  20 Q. Okay. While you were in the NFL, was  21 there anybody with the clubs you played with that  22 was involved in your medical care, other than the  23 team doctors and trainers?  24 A. No.  25 Q. Okay. Were you ever treated by anybody</p>
<p style="text-align: right;">Page 310</p> <p>1 know -- you know, some icons. You know, Rosey Grier  2 lifted cars back in the day, and to see this man who  3 was a big mountain of a man decrepit and, you know,  4 seeing -- a couple of those guys died soon after  5 that. So --  6 Q. Did you ever -- I'm sorry.  7 A. So, yeah, I mean, you say, "That's not  8 going to be me"; but then, again, that becomes you.  9 And these guys weren't too old. They weren't past  10 their 60s.  11 You never see too many older football  12 players who are living these days.  13 VIDEOGRAPHER: Four minutes left.  14 BY MR. OLESON:  15 Q. Did you ever talk to any of those players  16 about the fact that they were looking like they were  17 looking?  18 A. Not at all. I just -- I didn't know them  19 and -- but I was fans of theirs. And I grew up  20 watching them on TV and, you know, Little House on  21 the Prairie, and the terrible shows we watched back  22 in the day in that production.  23 But, no, I didn't go up to them. I didn't  24 know them like that. I may have seen Deacon Jones  25 before once or twice, being at L.A., you know, but</p>	<p style="text-align: right;">Page 312</p> <p>1 from another NFL club?  2 A. No.  3 Q. Okay. Or given medications by anybody  4 from another NFL club?  5 A. Not at all.  6 Q. Okay. Do you know how other NFL clubs  7 dispense medications?  8 A. I do not. I don't understand the  9 operations of other NFL clubs.  10 Q. Okay. And what about the treatment of  11 injuries? Do you know how other NFL clubs treated  12 injuries?  13 A. Not at all.  14 Q. Okay. Have you ever discussed medications  15 with any players or former players?  16 A. Not that I can think of, no.  17 Q. Okay. Do you know if anybody -- the  18 doctors or trainers from your club communicated to  19 any other team about either the medications you may  20 have taken or your injuries?  21 A. I'm not privy to that, no.  22 Q. In terms of the information that you wish  23 you had been given, one of the things you brought up  24 was long-term effects of medications?  25 A. Yes.</p>

25 (Pages 309 - 312)